



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2849**  
Yasuyuki SUZUKI et al. : Docket No. 2002-0206A  
Serial No. 10/049,821 : Group Art Unit 1616  
Filed February 19, 2002 : Examiner Alton N. Pryor

PERCUTANEOUS ABSORPTION  
PREPARATIONS

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached Form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☒ **each U.S. Patent and U.S. Patent application publication;**  
☐ each reference previously cited in the international application  
PCT/\_\_\_\_\_; and/or  
☐ each reference previously cited in prior parent application Serial No.  
\_\_\_\_\_.

1a. ☐ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, or

(2) ☐ the fee of \$180.00 specified in 37 C.F.R. § 1.17(p) is enclosed.

- 1c. ☒ This Information Disclosure Statement is submitted:

**after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:**

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 C.F.R. § 1.17(p) is enclosed.**

2. It is hereby certified

a. ☒ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached Form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. **[X] A Supplementary Partial European Search Report, dated January 31, 2005, citing one or more of the references is enclosed.**
6. ☐ Statement Under 37 C.F.R. § 1.704(d)

Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart application, and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Yasuyuki SUZUKI et al.

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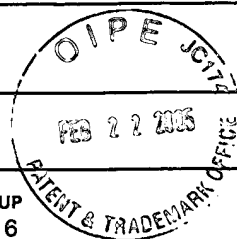
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## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)Date Submitted to PTO: **February 22, 2005**ATTY DOCKET NO.  
2002-0206ASERIAL NO.  
10/049,821APPLICANT  
Yasuyuki SUZUKI et al.FILING DATE  
February 19, 2002GROUP  
1616

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,750,134	05/1998	Scholz et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	WO 98/17315	04/1998	WIPO			
	AK	EP 0 916 336	05/1999	Europe			
	AL						
	AM						
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	B-J Lee et al., "Solubility and Stability of Melatonin in Propylene glycol and 2-Hydroxypropyl- $\beta$ -cyclodextrin Vehicles", <u>Arch. Pharm. Res.</u> , Vol. 20, No. 6, pp. 560-565, 1997.
	AP	B-J Lee, "Development and Evaluation of an Oral Controlled Release and a Transdermal Delivery System for Melatonin in Human Subjects", <u>Dissertation Abstracts International</u> , Vol. 54, No. 2, pp. 762-763, 1993.
	AQ	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.